

REMARKS

The above-referenced patent application has been reviewed in light of the Office Action referenced above. Reconsideration of the above-referenced patent application in view of the following remarks is respectfully requested.

Claims 1-9 are pending in the application. Claim 3 has been amended. New claims 10-19 have been added. The amendment is fully supported by the original disclosure, such as by paragraphs [0007], [0018], and [0021] of the specification, for example. No new matter has been introduced. The above amendment were, in many instances, made to clarify Assignee's claims and do not narrow the scope of the amended claims. Furthermore, in many instances, the above amendments broaden the literal scope of claims and/or claim elements. In light of this, Assignee asserts that no prosecution history estoppel should result from the above amendments.

Allowable subject matter:

The Examiner indicated that the subject matter of dependent claims 3-6, 8 and 9 would be allowable if rewritten in independent format.

In response, Assignee has provided new independent claim 10 based on limitations from dependent claim 3. Accordingly, Assignee submits new independent claim 10, as well as dependent claims 11-15, are in condition for allowance.

The rejection of claims 1, 2, and 7 under 35 U.S.C. 102:

The Examiner has rejected claims 1, 2 7 under 35 USC 102(b) based on US Patent No. 5,583,662 (hereinafter "Takahashi"). This rejection is respectfully traversed.

It is noted that the Examiner can establish anticipation only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP § 2131.01. It is asserted that the Examiner has not established that Takahashi meets this requirement.

Independent claim 1 recites "***scanning a smooth image region, wherein the smooth image region includes at least the original pixels with the predetermined number and has a uniform brightness, to obtain a smooth image data; and processing scanned images obtained by scanning a document according to the smooth image data***". Contrary to the assertions of the Office Action, the Takahashi reference does not disclose (or even suggest) this limitation.

The Takahashi reference discusses the problem of blurring being obviated where "the IPU 103 corrects each pixel data on the basis of the levels of pixels surrounding it, thereby producing a highly reproducible image." See col. 8, lines 37-45 of Takahashi. While this portion of Takahashi discusses blurring, Assignee can find no discussion of "uniform brightness" of a "the smooth image region", as recited in claim 1. Likewise, the Examiner refers to col. 10, lines 6-68 of Takahashi as disclosing uniform brightness; however, Assignee can find no mention of "brightness" let alone "uniform brightness" in this portion of Takahashi. Instead, col. 10, lines 6-68 of Takahashi appears to discuss the adjustment of lamp light quality. Accordingly, Assignee submits the Examiner has failed to establish that Takahashi discloses

obtaining a smooth image data based on a smooth image region having "a uniform brightness", as recited in claim 1.

For at least this reason, it is submitted that the Examiner has failed to establish that the Takahashi reference identically discloses all of the features of claim 1. Likewise, Takahashi does not disclose the features of claims 2 and 7 which depend from claim 1.

It is noted that other bases for traversing the rejection could be provided, but it is believed that this ground is sufficient. It is therefore respectfully requested that the anticipation rejection of claims 1, 2 and 7 be withdrawn.

CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in this patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439.6500. Reconsideration of this patent application and early allowance of all the claims is respectfully requested.

Any fees or extensions of time believed to be due in connection with this amendment are enclosed herein; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-3130.

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Respectfully submitted,



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